

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MYRA S. SMITH

Write the full name of each plaintiff or petitioner.

Case No. 20 CV 11136

-against-

THE CITY OF NEW YORK

NOTICE OF MOTION

Write the full name of each defendant or respondent.

PLEASE TAKE NOTICE that PLAINTIFF MYRA S. SMITH
plaintiff or defendant name of party who is making the motion

requests that the Court: ORDER SOUGHT: RULE 65
OF THE FEDERAL RULES OF CIVIL PROCEDURE GRANTING
AN INJUNCTION AND RESTRAINING ORDER.

Briefly describe what you want the court to do. You should also include the Federal Rule(s) of Civil Procedure or the statute under which you are making the motion, if you know.

In support of this motion, I submit the following documents (check all that apply):

- ☐ a memorandum of law
- ☒ my own declaration, affirmation, or affidavit
- ☐ the following additional documents: Myra S. Smith v. City of New York

1:20-cv-11136

10 APRIL 2022
Dated

Myra S. Smith
Signature

MYRA S. SMITH
Name

Prison Identification # (if incarcerated)

919 PARK PLACE #3M, BROOKLYN, NEW YORK 11213
Address City State Zip Code

917 769-5993
Telephone Number (if available)

E-mail Address (if available)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

20 CV 11136

MYRA S. SMITH, PLAINTIFF

- Against -

AFFIRMATION

CITY OF NEW YORK, DEFENDANT

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

I, MYRA S. SMITH, MAKE THE FOLLOWING
AFFIRMATION UNDER THE PENALTIES OF PERJURY:

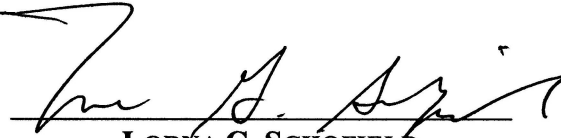
I, MYRA S. SMITH, AM THE PLAINTIFF IN THE ABOVE-
ENTITLED ACTION AND RESPECTFULLY MOVE THIS
COURT TO ISSUE AN ORDER UNDER RULE 65 OF THE
FEDERAL RULES OF CIVIL PROCEDURE. THE REASON
WHY I AM ENTITLED TO THE RELIEF I SEEK IS
THE FOLLOWING:

RULE 65 PERMITS AN INJUNCTION AND
RESTRAINT TO BE GRANTED TO
PROTECT THE JURISDICTION OF THIS
COURT TO MAKE MEANINGFUL
RULINGS ON THE MATTER AND
PREVENT FURTHER IRREPARABLE
INJURY TO PLAINTIFF.

By **May 17, 2022**, Defendant shall file
a response, not to exceed three
pages. So Ordered.

The Clerk of Court is respectfully
directed to serve a copy of this Order
on pro se Plaintiff.

Dated: **May 13, 2022**
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

2022 MAY 10 P 2:07

CITY OF N.Y. LAW DEPT.
CLERK OF COURT
COMMUNICATIONS UNIT

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PLAINTIFF MOVES THIS COURT FOR AN INJUNCTION AND RESTRAINING ORDER AGAINST DEFENDANT, ITS AGENTS AND EMPLOYEES, AND ALL PERSONS, FIRMS OR CORPORATIONS ACTING ON DEFENDANT'S BEHALF OR UNDER DEFENDANT'S CONTROL FROM:

1 - INTERFERING WITH, ALTERING, OR DISCONTINUING IN ANY WAY THE NORMAL AND USUAL WORKING/LABOR ARRANGEMENT THAT THE PLAINTIFF CURRENTLY ENJOYS WITH THE DEFENDANT;

2 - TERMINATING HER EMPLOYMENT, WITH OR WITHOUT PAY, DEMOTION OF HER POSITION WHICH IS PERMANENT, FULL-TIME CONSISTING OF A 35-HOUR WORK WEEK FROM MONDAY THROUGH FRIDAY, 0530-1330 HOURS, AND OR ANY NEGATIVE ACTION TOWARDS HER IN HER EMPLOYMENT WITH THE DEFENDANT, PENDING THE RESOLUTION BY

A. SETTLEMENT OR

B. COURT ORDER

OF THIS ACTION

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GROUND FOR ORDER

1 - ON OR ABOUT DECEMBER 30, 2020, PLAINTIFF FILED THE ABOVE COMPLAINT FOR PROTECTION FROM WRONGFUL, ADVERSE TREATMENT BY DEFENDANT.

2 - THERE IS A HIGH PROBABILITY THAT THE PLAINTIFF WILL PREVAIL ON THE MERITS OF THIS ACTION, AS ESTABLISHED BY THE ORIGINAL COMPLAINT AND THE ATTACHMENTS THERETO, ALL OF THE PAPERS AND PROCEEDINGS HAD HEREIN, WHICH ARE EXPRESSLY INCORPORATED BY REFERENCE INTO THIS MOTION FOR AN INJUNCTION AND RESTRAINING ORDER.

3 - THE ISSUANCE OF AN INJUNCTION AND RESTRAINING ORDER WILL NOT CAUSE ANY DAMAGE, LOSS, OR INCONVENIENCE TO DEFENDANT, BUT WILL PROTECT THE JURISDICTION OF THIS COURT TO MAKE MEANINGFUL RULINGS ON THE MATTER AND WILL PREVENT FURTHER IRREPARABLE INJURY TO PLAINTIFF.

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4. COUNSEL FOR THE DEFENDANT HAS BEEN DULY NOTIFIED THAT THE PLAINTIFF WILL BE SEEKING THIS INJUNCTION AND RESTRAINING ORDER, WHICH DOES RESULT IN AN AUTOMATIC STOP OF ANY CHANGE TO THE NORMAL AND USUAL WORKING/LABOR ARRANGEMENT PLAINTIFF CURRENTLY ENJOYS WITH THE DEFENDANT.

SUPPORTING MATERIAL

THIS REQUEST IS BASED UPON THIS DOCUMENT, THE COMPLAINT, ALL OTHER PAPERS AND RECORDS ON FILE IN THIS ACTION, AND ON WHATEVER MAY BE DEEMED JUST AND PROPER BY THIS COURT.

DATED: 10 MAY 2022

BROOKLYN, NEW YORK

Myr / Smil

MYRA S. SMITH, PLAINTIFF, PRO SE

919 PARK PLACE, #3M

BROOKLYN, NEW YORK 11213

(917) 769-5993

(718) 771-2048

TO: GEORGIA M. PESTANA

CORPORATION COUNSEL OF

THE CITY OF NEW YORK

BY: ABEN Z. BHUYAN,

ASSISTANT CORPORATION COUNSEL

ATTORNEY FOR DEFENDANT

100 CATHARA STREET

NEW YORK, NEW YORK 10607

TELEPHONE: (212) 356-2386

AFFIRMATION OF SERVICE

I, MYRA S. SMITH, declare, under penalty of perjury, that I have served a copy of the foregoing document, NOTICE OF MOTION AND AFFIRMATION, as follows:

GEORGIA M. PESTANA
CORPORATION COUNSEL OF THE CITY OF NEW YORK
By: Abed Z. Bhuyan, Assistant Corporation Counsel
Attorney for Defendant
100 Church Street
New York, New York 10007
Telephone: (212) 356-2386

by the following method:

____ U.S. MAIL
X Hand Delivery
____ Federal Express, United Parcel Service, or some other private courier.

DATED: Brooklyn, New York
10 May 2022

Myra S. Smith
MYRA S. SMITH, Plaintiff, *Pro Se*
919 Park Place, No. 3-M
Brooklyn, New York 11213
Telephone/Facsimile: (718) 771-2048
Home/Cellular: (917) _____